

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CR-16-119-R-9
	)	
GARY HOLDEN SCHNEIDER,	)	
	)	
Defendant.	)	

**ORDER**

Before the Court is Defendant’s pro se Motion to Reduce Sentence [Doc. No. 1906] seeking to reduce his term of supervised release under 18 U.S.C. § 3582(c)(2). The government responded in opposition [Doc. No. 1914] and the matter is now at issue.

Defendant argues that he is eligible for a reduction in sentence pursuant to the retroactive application of Amendment 821 of the United States Sentencing Guidelines but he does not seek a reduction in his term of imprisonment. Instead, he represents that he has almost entirely completed his term of imprisonment and therefore seeks a reduction in his four-year term of supervised release. A motion under § 3582(c)(2) is not the proper vehicle for this type of relief.

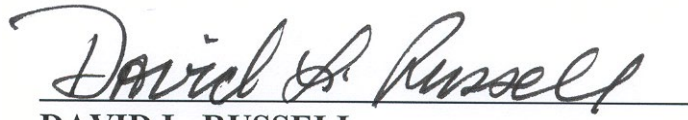
Section 3582(c)(2) provides that a district court may reduce a defendant’s “term of imprisonment” if the defendant “was sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission....” Although this provision permits a district court to reduce a term of imprisonment under some circumstances, it does not authorize a reduction in a term of supervised release. *See*

*United States v. Wilson*, 799 F. App'x 792, 793 (11th Cir. 2020). Rather, “[t]he proper way to seek early termination of supervised release...is to move for such relief under 18 U.S.C. § 3583(e)(1)—not § 3582(c)(2).” *Id.*

If Defendant wishes to seek early termination of his supervised release, he must file a motion pursuant to 18 U.S.C. § 3583(e)(1), which provides that a district court may terminate a term of supervised release (after considering the appropriate factors) “at any time after the expiration of one year of supervised release.”

Accordingly, Defendant’s Motion [Doc. No. 1906] is DISMISSED.

IT IS SO ORDERED this 5<sup>th</sup> day of February, 2024.

  
DAVID L. RUSSELL  
UNITED STATES DISTRICT JUDGE